

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES**

April 28, 2016

The Riverton City Planning Commission convened at 6:30 p.m. in the Riverton City Municipal Building, 12830 South 1700 West, Riverton, Utah.

Planning Commission Members:

**Brian Russell, Chair
Cade Bryant
James Endrizzi
Dennis Hansen
Kent Hartley
Scott Kochevar**

Staff:

**Andrew Aagard, City Planner
Casey Taylor, City Attorney
Trace Robinson, Public Works Director**

Chair Russell called the meeting to order. Commissioner Bryant led the Pledge of Allegiance.

I. PUBLIC HEARING

- A. REZONE, REZONING APPROXIMATELY 14 ACRES LOCATED AT 3150 WEST 13400 SOUTH FROM RR-22 (RURAL RESIDENTIAL HALF-ACRE LOTS) TO R-3 (RESIDENTIAL 14,000 SQUARE FOOT LOTS), LOVELL DEVELOPMENT GROUP, APPLICANT.**

City Planner, Andrew Aagard, presented the staff report and stated that the applicant submitted the application requesting the subject property be rezoned from RR-22, Rural Residential with one-half acre lots, to R-3, Residential with 14,000 square-foot lots. The properties to the west, south, and east of the subject property are zoned RR-22, with one R-3 subdivision to the north. There are existing stub streets leading into the property at the northwest corner and on the eastern boundary. Mr. Aagard explained that the Riverton City General Plan designated that the majority of the subject property as low-density residential, which is one-third acre lots or larger. There is also a strip of property along the eastern boundary that is master planned for estate-density residential, which is one-half acre lots or larger. This split designation was made to create a buffer between properties with animal rights and without. Staff recommended approval according to the General Plan.

Chair Russell opened the public hearing.

Commissioner Hansen read a letter from Wendell and Judy Nolan of 3218 West 13400 South. Mr. and Mrs. Nolan were in favor of the proposed rezone application as long as proper access and utilities are available to their property for future development.

Shelly Smith, a resident who lives just north of the subject property, expressed concern regarding the connectivity of 3200 West to 13400 South. If that connection was not made, the majority of the traffic from the proposed development would go through her neighborhood. Mrs. Smith was supportive of the proposed rezone only if 3200 West was guaranteed to connect to 13400 South.

Anna Nuttall, a 3300 West resident, explained that she has fought to keep the zoning of the property at RR-22. One-half acre lots are in demand and it would be foolish to rezone to allow smaller lots. Mrs. Nuttall also stated that having a higher density housing development near her home would devalue her property.

Dean Desmond stated that he lives at the end of Forrest Meadows Drive which provides access to the subject property. He asked if 3200 West would connect to 13400 South. Mr. Desmond was concerned with the potential increase of traffic on Forrest Meadows Drive, which may not be able to handle a significant increase.

Tammy Ewell explained that she lives on the opposite end of Forrest Meadows Drive, and harbored the same concerns as Mr. Desmond. She did not want her street to become a thoroughfare.

Before continuing with the public hearing, Chair Russell asked Mr. Aagard if staff had received a site plan from the applicant. Mr. Aagard indicated that they had not. He explained that the connection of 3200 West to 13400 South is not part of the area being considered for a rezone but he confirmed that there would be a street there eventually. The connectivity largely depends on the future development of the property to the west of the subject property.

The applicant, James Horsely, commented that the development will provide stub streets to the west to accommodate the 3200 West connection. He stated that the street would have to line up with 3200 West which currently exists on the opposite side of 13400 South. As a result, the future road would have to curve slightly to accommodate it. Mr. Aagard added that 3200 West would be constructed above the existing aqueduct. City Attorney, Casey Taylor, commented that the road issues will exist regardless of the zoning and connectivity will be addressed as part of the site plan application.

Coralynn Green gave her address as 13287 South 2900 West and expressed concern with increased traffic on 2900 West. The road gets a lot of traffic this time of year when the baseball fields are being used. She did not want additional traffic from this development.

Mel Perschon stated that he also lives on 2900 West and was concerned about the loss of large lots in Riverton City. Many of his neighbors moved to the area because it is rural and there are a lot of people still looking for large lots. He was not in favor of the rezone.

Jacob Satterfield identified himself as the developer of the Hidden Acres subdivision to the west of the subject property. He also believed that one-half acre lots were in high demand, and was not in favor of rezoning the property to one-third acre lots. Mr. Satterfield stated

that the residents in his subdivision have also expressed concern with their properties being devalued with higher density housing coming in. He believed that the current zoning was sufficient.

Melissa Summers reported that she lives on the corner of Forrest Meadows Drive and 13400 South. She was concerned about the safety of children in the neighborhood. She suggested that 3200 West be connected prior to any development taking place to provide access for residents and construction vehicles.

Kevin Nelson, a 2980 West resident, agreed with Mrs. Summers' suggestion of completing the road first. He could potentially see an increase in traffic on his street as well, and would like to see another access for this development to combat that.

Justin Bates echoed the comments given previously that one-half acre lots are in demand. He stated that his previous neighborhood was surrounding by one-fourth and one-third acre lots and many of the residents wanted more land.

Holli Dansie, the owner of the subject property, explained that they would like to rezone to one-third acre lots because often one-half acre lots are not maintained well. She also stated that one-third acre lots could accommodate very nice homes and is something people can afford. Mrs. Dansie felt that would be a better use of the property.

Howard Schmidt, a developer and builder, explained that he recently completed the Green Haven development in Riverton where the lots were one-third acre. He stated that people really do want one-third acre lots and they can easily accommodate nice homes. Mr. Schmidt also stated that the value of the neighboring homes would not be diminished by a neighborhood of one-third acre lots. He believed that the Master Plan designation made sense and the rezone should be allowed according to that designation.

There were no further public comments. Chair Russell closed the public hearing.

Commissioner Bryant asked if it was possible to have 3200 West constructed prior to development, as it was already part of the transportation master plan. Mr. Aagard explained that roads are constructed by the developer and after the warranty period, Riverton City takes ownership and maintenance of the roadways. The City can only require a road to be installed on property that is being developed or improved by the applicant. In this case, the property to the west is not being developed so the City cannot require the road to be constructed on that property yet.

Chair Russell stated that regardless of whether the property is developed with one-half or one-third acre lots, the applicant will still have to go through the site plan application process. During that time, staff and the Planning Commission will ensure that property access points are included according to City standards.

Commissioner Hartley moved that the Planning Commission recommend DENIAL of Rezone Application #PL-16-4004. Commissioner Endrizzi seconded the motion.

Vote on motion: Chair Russell – Aye; Commissioner Hansen – Nay; Commissioner Endrizzi – Aye; Commissioner Kochevar – Aye; Commissioner Hartley – Aye; Commissioner Bryant – Aye. The motion passed 6-to-1.

B. CONDITIONAL USE/HOME OCCUPATION, IRON AND ALLOY HOME OCCUPATION, 5339 WEST SHAGGY PEAK DRIVE, R-4 ZONE, WACEY AND BROOK HOLT, APPLICANTS.

Mr. Aagard presented the staff report and stated that Wacey and Brook Holt have submitted an application requesting a Conditional Use Permit to operate a specialty trade work custom interior elements business in an accessory structure on property located at the address listed above. The subject property is zoned R-4, as are all of the surrounding properties. Mr. Aagard explained that Planning Commission approval is required because the proposed business will be conducted in an accessory structure.

Mr. Aagard explained that the proposed business would involve the fabrication of interior elements of a home, such as cabinet panels, guard rails, door hardware, etc. The process would involve cutting using a ban saw, drilling, and minor welding. The applicant indicated that some noise will be generated, but will not exceed that of a hammer hitting nail. They also indicated that the accessory building will be insulated and that all work will be conducted inside the structure with the door closed. No chemicals will be used in association with the business and all project storage will be inside the accessory structure. The applicant stated that a pickup truck will be used for delivering projects to the job site and bringing materials to the home for fabrication. There will be no tractor trailer or semi-truck deliveries. Mr. Aagard presented an aerial map and photographs of the subject property and identified the accessory structure. Staff recommended approval with the conditions outlined in the staff report.

Chair Russell opened the public hearing. There were no public comments. Chair Russell closed the public hearing.

Commissioner Bryant commented that the equipment shown will likely generate more noise than a hammer hitting a nail. He asked if it would be appropriate to include a condition limiting the hours of operation. Mr. Aagard stated that there are already noise ordinances in place through Salt Lake County that limit home occupation hours to 7:00 a.m. to 10:00 p.m. The Planning Commission could limit those hours further if they felt it was necessary.

Commissioner Bryant moved that the Planning Commission APPROVE the Conditional Use Permit for Iron and Alloy Home Occupation at 5339 West Shaggy Peak Drive, with the subject to the following conditions:

- 1. No more than one (1) non-resident employee may perform work associated with this business on the property.**

- 2. All work and storage associated with this business shall be conducted within the accessory building.**
- 3. Building doors shall remain closed when operations are occurring that generate noise.**
- 4. No tractor trailer or semi-truck deliveries shall be allowed with this business.**
- 5. The site, structures, and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.**
- 6. The business shall operate between 7:00 a.m. and 10:00 p.m.**

Commissioner Hartley seconded the motion. Vote on motion: Chair Russell – Aye; Commissioner Hansen – Aye; Commissioner Endrizzi – Aye; Commissioner Kochevar – Aye; Commissioner Hartley – Aye; Commissioner Bryant – Aye. The motion passed unanimously.

C. ORDINANCE AMENDMENT, AMENDING THE RM-18SD ZONING ORDINANCE GOVERNING THE TOWERS RESIDENTIAL DEVELOPMENT AT 12989 SOUTH CACTUS BERRY DRIVE, STEVE MADDOX OF EDGE HOMES, APPLICANT.

Mr. Aagard presented the staff report and stated that Edge Homes submitted an application requesting an amendment to the RM-18SD Zoning ordinance that governs the Towers Development located at the address listed above. The amendment would affect Section 4.0 of the architectural standards. Mr. Aagard explained that the current ordinance requires 25% of the building exterior be brick or stone. The remaining materials may be brick, stucco, stone, or decorative masonry products including fiber cement siding. He invited the applicant to address the requested changes.

Jaron Nichols, from Edge Homes, stated that they were looking forward to the new Center Cal project and the positive affect it will have on Riverton City. Mr. Nichols observed some of the design requirements of Farmington Station, also a Center Cal project, and noticed that they focused on the facades that are visible to cars and pedestrians. With this in mind, Edge Homes desires to amend the language in the ordinance requiring 25% of each façade, and instead require 60% on the front façade and 20% on facades facing side streets. This requirement would be for single-family homes and townhomes. Mr. Nichols presented photographs depicting these potential requirements.

Mr. Nichols commented that there was some language included in the staff report that he wished to retract. Originally, they proposed a change to the materials for apartment buildings, but they would like to keep the 25% as brick or stone as already required in the current ordinance.

Chair Russell opened the public hearing. There were no public comments. Chair Russell closed the public hearing.

Mr. Aagard noted that the proposed amendment would only apply to this property rather than City-wide.

Commissioner Hansen moved that the Planning Commission recommend AMENDING Section 4.0, Architectural Standards of the Towers RM-18SD zoning ordinance adopting the language as proposed by the applicant, with the correction that fiber cement siding will not be included in the 25%, but will be included as an accent material. Commissioner Hartley seconded the motion. Vote on motion: Chair Russell – Aye; Commissioner Hansen – Aye; Commissioner Endrizzi – Aye; Commissioner Kochevar – Aye; Commissioner Hartley – Aye; Commissioner Bryant – Aye. The motion passed unanimously.

II. MINUTES

- A. March 10, 2016, Planning Commission Meeting Minutes**
- B. March 24, 2016, Planning Commission Meeting Minutes**
- C. April 14, 2016, Planning Commission Meeting Minutes**

Commissioner Hansen moved that the Planning Commission APPROVE the minutes of March 10, March 24, and April 14, 2016, Planning Commission Meetings, as written, with any corrections to spelling or grammar as applicable. Commissioner Kochevar seconded the motion. Vote on motion: Chair Russell – Aye; Commissioner Hansen – Aye; Commissioner Endrizzi – Aye; Commissioner Kochevar – Aye; Commissioner Hartley – Aye; Commissioner Bryant – Aye. The motion passed unanimously.

III. ADJOURNMENT

The meeting adjourned at approximately 7:26 p.m.